

## SECOND READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2008-0128

REQUEST: Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code rezoning the property locally known as 5005 Spicewood Springs Road from SF-2 to SF-6.

DEPARTMENT COMMENTS:

The City Council requested that the staff make a presentation to the Council regarding some environmental issues on the property at second reading. This case will come back for third reading at a later date.

OWNER/APPLICANT: Morin Scott

AGENT: Wiler & Associates (Holland Wiler)

DATE OF FIRST READING: September 25, 2008, The amended motion to hold the public hearing open and approve on first reading townhouse and condominium residence (SF-6) district zoning was approved on Council Member Martinez' motion, Council member Morrison's second on a 7-0 vote. Staff was directed to inform Council on what will be required regarding code, variances, slopes etc. prior to 2<sup>nd</sup> and 3<sup>rd</sup> reading.

CITY COUNCIL HEARING DATE: October 16th, 2008

ORDINANCE NUMBER:

CITY COUNCIL ACTION:

ASSIGNED STAFF: Clark Patterson

**ZONING POSTING LANGUAGE  
COUNCIL AGENDA**

**COUNCIL AGENDA DATE:** 10/16/2008

**CASE # & NAME:** C14-2008-0128

**1<sup>ST</sup> – 2<sup>ND</sup> – 3<sup>RD</sup> READING:** 2<sup>nd</sup>

**ADDRESS:** 5005 Spicewood Springs Road

**WATERSHED (include Barton Springs Zone if necessary):** Bull Creek

**ZONING FROM:** SF-2

**ZONING TO:** LO-MU

**STAFF RECOMMENDATION:** Staff recommends approval of LO-MU.

**PC RECOMMENDATION:**

The motion to deny staff's recommendation for LO-MU zoning was approved by Commissioner Keith Jackson's motion; Commissioner Betty Baker seconded the motion on a vote of 7-0.

**PREVIOUS COUNCIL ACTIONS, DATES & VOTES: (for 2<sup>nd</sup>/3<sup>rd</sup> readings):**

The amended motion to hold the public hearing open and approve on first reading townhouse and condominium residence (SF-6) district zoning was approved on Council Member Martinez' motion, Council member Morrison's second on a 7-0 vote. Staff was directed to inform Council on what will be required regarding code, variances, slopes etc. prior to 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**APPLICANT:** Morin Scott

**AGENT:** Wiler & Associates (Holland Wiler)

**CITY STAFF:** Clark Patterson, 974-7691

**ISSUES (is there a valid petition?):** Environmental issues

**CONSENT/DISCUSSION:** Discussion

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0128 – 5005 Spicewood Springs

**Z.A.P DATE:** 08-05-2008

09-02-2008

09-16-2008

**AREA:** 2.37 acres

**APPLICANT:** Morin Scott

**AGENT:** Wiler & Associates  
(Holland Wiler)

**ADDRESS:** 5005 Spicewood Springs Road

**NEIGHBORHOOD PLAN AREA:** None

**CAPITOL VIEW:** No

**T.I.A.:** Waived – See the Transportation  
Reviewer's comments.

**SCENIC ROADWAY:** Yes

**WATERSHED:** Bull Creek

**ZONING FROM:** SF-2 Single Family Residence  
(Standard lot)

**TO:** LO-MU  
(Limited Office – Mixed Use)

**DESIRED DEVELOPMENT ZONE:** No

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends LO-MU-CO, Limited Office - Mixed Use - Conditional Overlay Combining District Zoning. The conditional overlay will limit the vehicle trips to 2000 a day.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

The Zoning and Platting Commission at their regularly scheduled meeting of September 16<sup>th</sup>, voted to deny the zoning change request.

### **DEPARTMENT COMMENTS:**

The property is currently an unplatted lot that is undeveloped. This segment of Spicewood Springs Road, between Capital of Texas Highway and Mesa Drive, has undergone a twenty year transformation to predominantly Limited Office zoning. This trend to move to Limited Office zoning dates back to 1982. The applicant has also requested the inclusion of the Mixed Use (MU) combining district overlay for the subject property. The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development. Within the districts that allow mixed use development, uses may be combined either vertically in the same building, or horizontally in multiple buildings, or through a combination of the two, depending on the standards of the district. In an MU combining district that is combined with a Limited Office (LO) base district, the minimum site area for each dwelling unit is:

- (i) 1,600 square feet, for an efficiency dwelling unit;

- (ii) 2,000 square feet, for a one bedroom dwelling unit; and
- (iii) 2,400 square feet, for a dwelling unit with two or more bedrooms.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	SF-2	Vacant lot
<b>NORTH</b>	PUD	Multi-family
<b>SOUTH</b>	SF-2	Undeveloped
<b>EAST</b>	MF-3	Vacant/undeveloped
<b>WEST</b>	PUD	Multi-family

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-05-0202 (Cell Tower)	From I-SF-3 to SF-6-CO	Approved SF-6-CO [Vote: 7-0]	Approved SF-6-CO [Vote: 7-0]
C14-03-0165	From SF-3 to LO	Approved LO [Vote: 9-0]	Approved LO [Vote: 5-0]
C14-99-0037	From LO-CO to LO-CO	Approved LO - CO [Vote: 5-0]	Approved LO - CO [Vote: 9-0]
C14-83-109	From "A-1 <sup>ST</sup> Height and Area" to "O-1" "SF-3 to LO"	Approved "O-1" "LO" [Vote: 8-0]	Approved "O-1" "LO" [Vote: 5-0]

**NEIGHBORHOOD ORGANIZATION:**

- Homeless Neighborhood Assn.
- Northwest Austin Civic Assn.
- 2222 Coalition of Neighborhoods
- Bull Creek Homeowners Assn.
- Bull Creek Foundation
- Courtyard Homeowners Assn.
- Balcones Civic Assn.
- Austin Neighborhoods Council
- Concerned Citizens for P & B of FM 2222
- Old Spicewood Springs Rd. Neighborhood Assn.

**SCHOOLS:**

Hill Elementary School  
Murchison Middle School  
Anderson High School

## **ENVIRONMENTAL:**

- 1) According to current maps, the site is located very near the Edwards Aquifer Recharge Zone. A geological and / or topographical analysis of the site may be needed to determine the exact boundaries of the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

- 2) According to flood plain maps, there is a flood plain within close proximity of the project location. Based upon the close proximity of the flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone shall be limited to 18%.
- 3) The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.
- 4) Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 5) At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- 6) Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.
- 7) At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

## **Transportation**

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117] No additional right-of-way is needed at this time.

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Bus Routes</b>
Spicewood Springs	118'	40'	Arterial	No	No	No

**SITE PLAN:**

1. Site plans will be required for any new development other than single-family or duplex residential.
2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

**Compatibility Standards**

- a. The site is subject to compatibility standards. Along the South & East property lines, the following standards apply:
  - b. No structure may be built within 25 feet of the property line.
  - c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
  - d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
  - e. No parking or driveways are allowed within 25 feet of the property line.
  - f. A landscape area at least 15 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
  - g. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
  - h. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
3. Additional design regulations will be enforced at the time a site plan is submitted.

**CITY COUNCIL DATE:** September 25, 2008**ACTION:****ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup> **ORDINANCE NUMBER:****CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)**PHONE:** 974-7691







Site

SPICEWOOD APPLICS RD

ADIRONACK TR

Exhibit "B"





## MEMORANDUM

**TO:** Gregory I. Guernsey, AICP, Director  
Neighborhood Planning and Zoning Department

**FROM:** Sylvia R. Pope, P.G.  
Watershed Protection and Development Review Department

**DATE:** October 8, 2008

**SUBJECT:** Zoning Case No. C14-2008-0128, 5005 Spicewood Springs Road  
Environmental Questions raised by Council members on 9/25/2008

The request for rezoning of the unplatted tract located at 5005 Spicewood Springs Road from SF-2 to LO-MU-CO was denied by the Zoning and Platting Commission on September 16, 2008. The commission members asked questions regarding the environmentally sensitive nature of the tract due to its location on steep slopes adjacent to the Stillhouse Hollow tributary to Bull Creek. The zoning case had a first reading at the September 25, 2008 meeting of the City Council. Council members also asked questions regarding the environmental characteristics of the tract and requested that information be provided and that Watershed Protection and Development Review Department staff be present at the second and third readings. The purpose of this memo is to answer questions raised by Council members on September 25, 2008.

### General site characteristics

- 2.37 acre unplatted lot
- Most of the lot has slopes greater than 15%, some slopes greater than 25%
- Approximately 0.22 acres of the lot is within the Northern Edwards Aquifer Recharge Zone, as confirmed by site geology observed by City of Austin Watershed Protection and Development Review staff site visit of September 8, 2008
- Located in Water Supply Suburban (Bull Creek watershed): Maximum impervious cover is 30% for single family residential use; 40% with transfers to the upland zone. Maximum impervious cover is 40% for multifamily or commercial use; 55% with transfers to the upland zone.
- Jollyville Plateau salamanders have been sighted in the Stillhouse and Barrow tributaries to Bull Creek approximately 0.25 miles or more upstream of the site. Historically, this portion of Stillhouse Hollow tributary may have been salamander habitat. The tributary immediately downstream of the site was nearly dry on September 8, 2008 due to the current critical drought.

### Potential Variances from Title 25, Land Development; Chapter 25-8, Environment, of the Land Development Code; based on site characteristics

- Cut/fill greater than 4 feet
- Construction of buildings or parking lots on slopes greater than 25%; Construction of roadways or driveways on slopes greater than 15%
- Water quality controls may not be built in the Water Quality Transition Zone (WQTZ)
- Impervious cover in the WQTZ is limited to 18%

### Other Potential Site Constraints

- Protection of trees
- Placement of access driveway

Attachment 1: Topography and geological formations on the site

Attachment 2: Jollyville Plateau Salamander sightings in the Stillhouse and Barrow tributaries to Bull Creek

**cc:** Nancy L. McClintock, Assistant Director, Watershed Protection and Development Review Department  
Robert Ray, Assistant Direction, Watershed Protection and Development Review Department  
Thomas E. Ennis, P.E., LEED AP, Watershed Protection and Development Review Department  
Edward D. Peacock, P.E., Watershed Protection and Development Review Department  
David A. Johns, P.G., Watershed Protection and Development Review Department  
Clark Patterson, AICP, Neighborhood Planning and Zoning Department  
Ingrid McDonald, Watershed Protection and Development Review Department  
Craig A. Carson, P.G., Watershed Protection and Development Review Department



Attachment 1.

5005 Spicewood Springs Rd

Zoning Case C14-2008-0128

Glen Rose limestone

Stillhouse Hollow tributary  
of Bull Creek

Walnut limestone

Edwards limestone =  
Recharge Zone

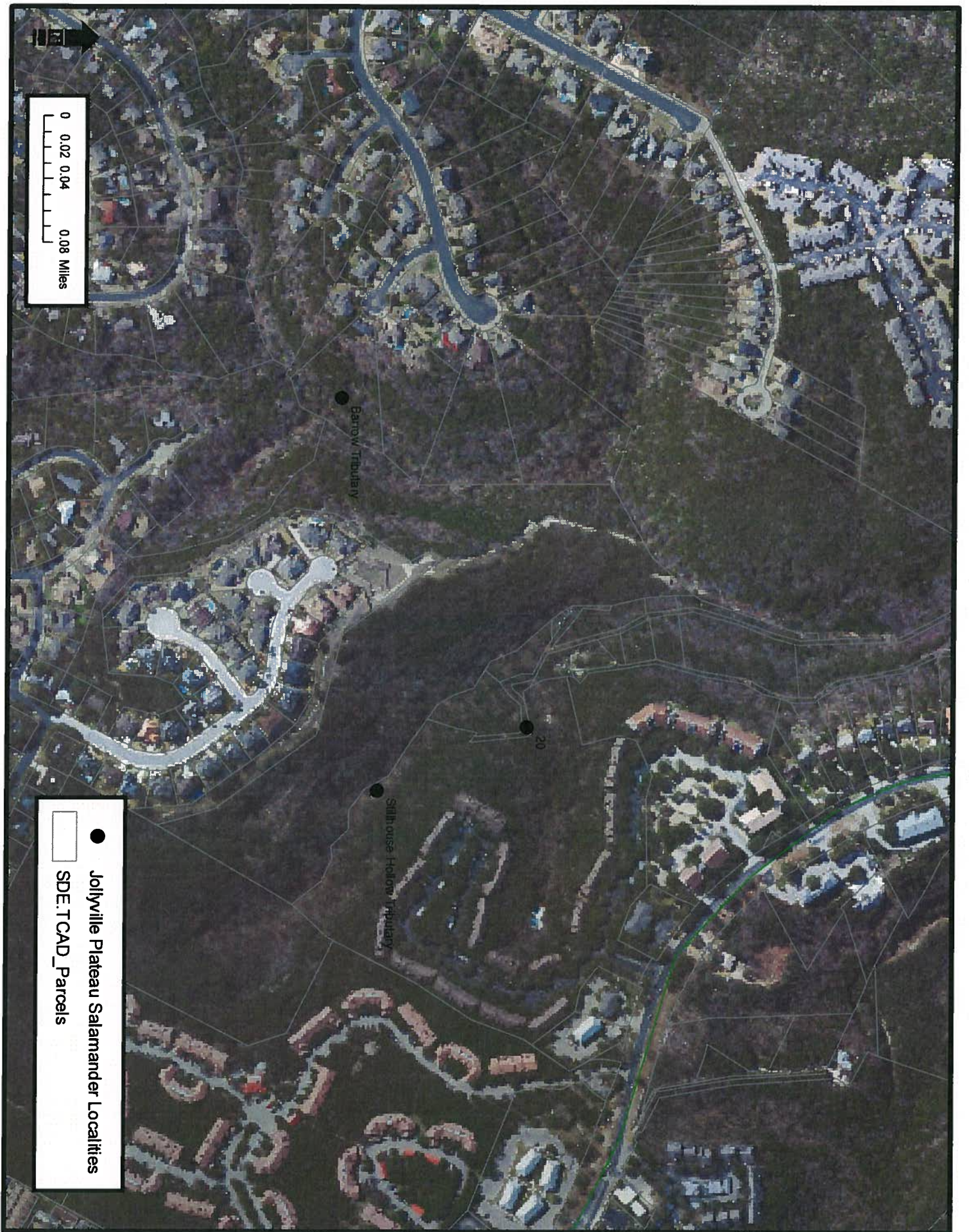


**Watershed Protection  
Development Center**

Map compiled by  
Sylvia R. Pope, P.G.  
10/8/08

**Watershed Protection & Development Center**  
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Watershed Protection & Development Center Department





● Jollyville Plateau Salamander Localities

□ SDE, TCAD, Parcels